## REMARKS

Entry, reconsideration, and allowance are requested.

The Examiner now objects to the claim 1 under 35 U.S.C. §112, second paragraph. Although Applicant believes that claim 1 is definite, claim 1 is amended to recite that "receiving data units from a radio link control layer in another node other than the base station." While another node could be the UE, it does not necessarily have to be the UE. For example, see the SRNC in Figure 3. Since the amendment to claim 1 does not raise any new issues, removes this rejection, and could reasonably have been expected in light of the new 112 rejection, entry is proper and requested. Withdrawal of this rejection is requested.

The Examiner rejects claims 1, 2, 4, 9, 13-16, 18, 23, and 26-30 under 35 U.S.C. §103 for being unpatentable based on previously-applied Terry and newly-applied Park. This rejection is respectfully traversed.

The office action states "Terry does not explicitly teach analyzing at the medium access control layer some or all of a radio link control layer header of a radio link control data unit associated with the one data flow," and contends that Park does at [0027] repeated here for convenience:

> "In data retransmission mechanism at RLC layer, a receiver acknowledges through control packet data unit (PDU) whether or not it has received PDUs, then a transmitting RLC layer retransmits erroneous PDUs based on the acknowledgement. However, this retransmission mechanism has drawbacks of remarkable time delay and overhead. The time delay is caused from error detection and notification at a receiver and retransmission at a transmitter. **A control PDU, which is for packet data acknowledgement, at RLC layer contains header information of RLC layer and media access control (MAC) layer. Header information of MAC layer is added to a control PDU when a control PUD is delivered to MAC layer. Accordingly, data to be transmitted from physical layer**

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**contains overhead information of RLC and MAC layer besides payload data.**

All that Park describes in the bolded text (bolding was added) from the quote is that an RLC control PDU contains header information of the RLC layer and the MAC layer. This is conventional OSI protocol stack processing. The MAC layer in Park simply adds a MAC header—it does not analyze the RLC header. There is nothing here that teaches "analyzing at the medium access control layer some or all of a radio link control layer header of a radio link control data unit associated with the one data flow" and "based on the analysis, determining at the medium access control layer a priority of the data unit relative to other data units associated with the one data flow."

The Examiner contends that "inherently the header of the RLC PDU that is received at the MAC layer must be analyzed before performing further processing by MAC layer." See page 5 of the office action. This is simply not true. There is no evidence provided in the office action to support the Examiner's theory that simply adding a MAC header somehow requires "inherent" analysis of the RLC header. Adding X to Y does not require knowledge or analysis of the contents of Y.

In addition, the Examiner's unsupported inherency theory fails to address the fact that Park does not teach the MAC layer determining a priority of the data unit based on analysis of the RLC header. And [0042] in Terry does not teach the MAC layer analyzing the RLC header to determine data unit priority. Instead, the MAC layer in Terry analyzes the MAC header.

The application is in condition for allowance. An early notice to that effect is solicited.

Respectfully submitted,

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